

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CENTURY SURETY COMPANY : CIVIL ACTION

v. : NO. 23-4903

ACCURATE FREIGHT SYSTEMS
CORP. :

ORDER

AND NOW, this 12th day of November, 2024, it is hereby ORDERED as follows:

1. Plaintiff's Motion for Judgment on the Pleadings [Doc.25] is GRANTED.
2. Judgment on the pleadings is ENTERED in favor of Plaintiff Century Surety Company and against Defendant Accurate Freight Systems Corp. on Counts I and III of Plaintiff's Amended Complaint.
3. The Court DECLARES that Plaintiff Century Surety Company has no duty to defend or indemnify Defendant Accurate Freight Systems Corp. in the Action pending in the Court of Common Pleas of Northampton County, Pa., docketed as Docket C-48- CV-2023-438 or for the claims asserted against it by Polipa North America, LLC related to a fire that occurred on April 4, 2023 under the Commercial Lines Policy issued by Century to Accurate Freight.
4. The Court further DECLARES that Plaintiff Century Surety Company has no duty to defend or indemnify Defendant Accurate Freight Systems Corp. under the Commercial Property coverage part of the Century Policy for the claims at issue and any coverage provided by said coverage part is limited to \$10,000.00.
5. Count II of the Amended Complaint is DISMISSED with prejudice.
6. The Clerk is DIRECTED to mark this case as TERMINATED.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.